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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.637 OF 2007
IN
FIRST APPEAL NO.2367 OF 2007

Karnataka State Road Transport Corporation, Belgaum ...Applicant
V/s.
Subha @ Prabha Umesh Mane ...Respondent

Mr.C.M. Lokesh, Advocate, for the Applicant.

Mr.K.S. Patil, Advocate, for Respondent.

CORAM : ABHAY S. OKA, J.

DATE : 23RD NOVEMBER, 2007.

P.C.:

1. Ad-interim relief has been already granted subject to deposit of the entire amount due and payable under the award. Considering the facts and circumstances of the case and the findings recorded by the Tribunal, the respondent will have to be permitted to withdraw substantial amount as disposal of the Appeal is likely to take some time.

2. Hence, the Civil Application is disposed of by passing following order :-

"O R D E R"

(a). There will be interim stay in terms of prayer clause (a) provided the entire amount due and payable as per the impugned award is deposited by the applicant with the Tribunal on or before 31st December, 2007. If the amount is not deposited within stipulated time, interim relief will stand vacated without further reference to the Court.

(b). If the amount is deposited, the Tribunal will permit the respondent to withdraw a sum of Rs.1,00,000/- without security and a further amount of Rs.50,000/- on furnishing adequate security for the said amount.

(c). The balance amount shall be invested by the Tribunal in a fixed deposit in any nationalized bank. The fixed deposit shall be renewed from time to time till the disposal of the Appeal.

(d). Parties and Tribunal to act upon the authenticated copy of this order.

[ABHAY S. OKA, J.]